

REMARKS

I. Status of the Claims

Claims 1-52 were pending in the application prior to submission of the current amendment. Claims 1-52 stand rejected. No claims have been amended in the current response, and therefore, no new matter has been introduced into the application through this amendment.

II. Rejections Under 35 U.S.C. §103(a):

Claims 1-9, 13-19, 22-36, 39-42 and 52, previously rejected under 35 U.S.C. § 102(a) as being anticipated by U.S. 6,282,362 to Murphy et al. (hereafter "Murphy"), now stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Murphy in view of U.S. Pub. 2001/0034204 to Pentikainen (hereafter, "Pentikainen"). More specifically, the Examiner asserts that the aforementioned claims are obvious in view of the Murphy and Pentikainen combination.

Murphy is a geographical position/image capturing system that stores object images and position coordinates as digital data (abstract). Video or photographic data may be recorded and encrypted with position/location/time information (for example, column 4, line 35-column 5, line 24 and column 7 lines 26-52). This information is provided primarily through a satellite-based global positioning system (for example, column 14, line 54 to column 15, line 7).

Pentikainen is directed to method and system for tracing a subscription in a telecommunication system (abstract). The telecommunication system disclosed is a wireless local loop system (WLL), for example, implemented using the GSM standard (page 1, paragraph 0002). Typically, tracing may be utilized to collect information about call-time events, for example, the radio channel used, power level, location, call setup direction, duration or start time. (page 1, paragraph 0005). Further, a tracing report may be created which comprises the IMEI code, the IMSI code and reference number (page 1, paragraph 0009). The system may also locate calls made via an unauthorized or unidentified user or device (page 1-2, paragraph 0013).

Applicants assert that the neither the Murphy nor Pentikainen references, taken alone or in combination, make obvious the present invention as currently claimed. For example, claim 1 recites the following:

1. (Previously Presented) A method of providing trusted multimedia content, originating from a user's multimedia device, comprising:
 - determining a current location for a multimedia device using positional information provided by a long range cellular network or short-range wireless communication medium;
 - computing location-based authentication data using the positional information;
 - and
 - encoding multimedia content created on the multimedia device with said location-based authentication data by computing a hash value on a combined expression of the multimedia content, said location-based authentication data and identification data including at least one of user identification data and device identification data, wherein said encoding creates a content identity key that authenticates the multimedia content as being created at a certain physical location and time.

The combination of Murphy and Pentikainen do not render obvious all of the limitations claimed in the present invention. The Examiner has argued that the combined Murphy and Pentikainen references disclose "computing a hash value on a combined expression of the multimedia content, said location-based authentication data and identification data including at least one of user identification data and device identification data." Initially, Applicants have established that the Murphy reference does not recite or imply hashing this required information together. Multiple citations have been identified in Murphy directed to the general use of ciphering and encryption, or alternatively, separately discuss the use of time or place as part of an encryption. However, Applicants have found no recitation or implication of "computing a hash value on a combined expression of the multimedia content, said location-based authentication data and identification data including at least one of user identification data and device identification data" as previously presented in the pending independent claims.

The Examiner attempts to cure this deficiency by introducing the Pentikainen reference. Pentikainen is a system for obtaining information for a wireless communication device through call tracing (e.g., paragraph 0005). Call tracing is initiated on the backbone system-side. This is evident, for example, in paragraph 0008 that describes the function of an

access node, as well as paragraphs 0020-0021 and 0023, which describe how an operator may interact with a Man-Machine Language (MML) terminal to enter the IMEI and perform the trace. As a result, if this system were to be implemented in combination with Murphy, the wireless communication device would have to first request call tracing information from the system-side, including its IMEI information, which would subsequently have to be processed by the access node and network management system (NMS) before being reported back to the wireless communication device. This circuitous message loop does not make obvious the present invention, which may resolve a wireless communication device location based on long-range cellular or short-range information directly within the wireless communication device itself.

Further, even with introduction of Pentikainen including general references to IMSI and IMEI codes, there is no recitation or implication of “computing a hash value on a combined expression of the multimedia content, said location-based authentication data and identification data including at least one of user identification data and device identification data” as previously presented in the pending independent claims.” More specifically, while some kind of identification information (e.g., IMEI) would be necessarily utilized by an operator on the system-side to identify a wireless communication device that will be traced, there is nothing that recites or implies that this user or device identification information would be used in encoding multimedia content, as claimed, other than the teaching of the present invention, which would constitute invalid motivation derived by impermissible hindsight reconstruction.

In view of the above, Applicants assert that the aforementioned claims are not obvious in view of the Murphy and Pentikainen references, taken alone or combination, and therefore, respectfully request that the 35 U.S.C. § 103(a) rejection be withdrawn.

Claims 10, 11, 20, 21, 37, 38, 50 and 51 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Murphy in view of Pentikainen and further in view of U.S. Pub. 2002/0080968 to Olsson (hereafter, “Olsson”).

Olsson is a system for providing location based service from a third party service provider which encrypts the client's identification information to protect the client's anonymity. The Examiner has relied upon Olsson to make obvious the claimed requirements of the present

invention for device identification via an IMEI and IMSI number (see, for example, claims 10 and 11). Olsson recites general applications of identification of devices via IMSI, however, the motivation for further including the Olsson system with the already combined Murphy and Pentikainen references in order to arrive at the present invention remains unclear to Applicants. The Examiner claims, "in order to have an standard data as taught in Olsson see Par. 0023." The section cited by the Examiner discloses general layout information for the Olsson system, wherein Applicants still cannot determine any motivation for the combination of references.

Therefore, in addition to at least the arguments cited above with respect to the combined Murphy and Pentikainen references, the obviousness rejection combining the teaching of Olsson into the Murphy and Pentikainen combination is also deficient due to a lack of adequate motivation to combine all of these aforementioned references.

CONCLUSION

Based on the foregoing remarks, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims and allowance of the application.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 4208-4038. A DUPLICATE OF THIS SHEET IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 4208-4038. A DUPLICATE OF THIS SHEET IS ATTACHED.

Respectfully submitted,
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By: _____

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